C.F 1052

IN THE HIGH COURT OF JUDICATURE AT BILASPUR, CHHATTISGARH

WRIT PETITION NO. 1168 OF 2001

PETITIONER : Waman.R.Wanre
son of Roop Rao Wanre
aged 40 years,
occupation- Service
presently posted as Clerk-cum-Cashier, Union Bank of India,
Regional Office, Raipur
Raipur (C.G)

VERSUS

RESPONDENTS

1. Union Bank of India
A Banking Company registered under Companies Act
through its Managing Director
Union Bank of India,
Central Office Mumbai

2. Disciplinary Authority -
Industrial Relation Department
Central Office, Union Bank of India, Mumbai

3. Enquiry Officer and Disciplinary Authority - Department of Personnel, Zonal Office, CZ.II
Bhopal (M.P)

P.R. No. 1208/01
Presented by Shri V.N. Shrivastava
Date 13.7.2001

PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF WRIT IN THE NATURE OF CERTIORARI, MANDAMUS PROHIBITION AND OTHER SUITABLE WRIT OR WRITS, DIRECTION OR DIRECTIONS, ORDER OR ORDERS.

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(150)

आदेश पत्रक

मामला क्रमांक WP No. 1168/01 सन् 200

विरुद्ध

क्र.	आदेश का आदेश सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

2-1-2004

Shri Manindra Shrivastava and Shri Ashish Shrivastava, Advocates for the petitioner.

Shri N.K. Vyas, Advocate for the respondents.

Heard finally.

By this writ petition under Article 226/227 of the Constitution of India, the petitioner contends that a show cause notice for dismissal from service has been issued by the respondents without proper enquiry. The petitioner has prayed for quashing of the show cause notice dated 10.12.1999 (Annexure P/6) and for making due and proper enquiry after giving proper opportunity of hearing to him. The respondents have filed the preliminary objection opposing the grant of relief.

Learned counsel for the petitioner submitted that the petitioner has filed the reply of the notice (Annexure P/7) denying the allegations during the course of the enquiry. It is further submitted that the witnesses were examined but an opportunity of cross-examination was not afforded to the petitioner.

During the course of hearing learned counsel for the respondents submitted that though the enquiry has been held and the petitioner has been found guilty however, they will

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उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

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आदेश पत्रक

मामला क्रमांक WP No. 1168/01 सन् 200

विरुद्ध

आदेश का दिनांक, आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित — 2 —	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

hold the enquiry afresh and the opportunity of cross examination of the witnesses will be afforded to the petitioner.

In that view of the matter, this petition stands disposed of with a direction to hold the enquiry afresh from the stage of ~~cross~~-examination of the witnesses.

At this stage, learned counsel for the parties prayed that since the matter is of the year 1999, the enquiry may be completed at the earliest.

The prayer appears to be reasonable. It is directed that the enquiry be completed at the earliest preferably within a period of four months from the first date of hearing. The parties are directed to appear before the Enquiry Officer on 30.01.2004. They are also directed to cooperate during enquiry.

Consequently, M.W.P. No.3322/2003 and I.A.Nos. 4152/2002 and 1133/2003 also stand disposed of.

Certified copy as per rules.

Sd/-
Fakhruddin
Judge

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